

State of Minnesota**District Court**

County _____

Judicial District: _____

Court File Number: _____

Case Type: Criminal

State of Minnesota,

Plaintiff

vs.

**Order Sealing Record
Conviction**_____,
Defendant/Petitioner

Date of Birth _____

The above-entitled matter came before the Court upon a Petition for Expungement in the above matter.

Appearances were:

☐ Petitioner☐ County Attorney _____☐ Other _____☐ Waived

Upon the files and records, the court finds:

1. On _____ (date) in the District Court of _____ County, the petitioner:

☐ Entered a plea or was found guilty of the crime of _____
_____ and was sentenced pursuant to Minn. Stat. §152.18; –or–

☐ Entered a plea or was found guilty of _____
following certification or reference to district court for prosecution pursuant to Minn. Stat. § 260B.125.

2. Petitioner was not convicted of an offense that requires registration under Minn. Stat. § 243.166.
3. The petitioner was discharged by the commissioner of corrections, or was placed on probation and an order discharging the petitioner from probation has been filed and/or the proceedings dismissed.
4. Proper service ☐ has ☐ has not been given including notice to any victim(s) if required.

5. There ☐ is ☐ is not clear and convincing evidence that sealing the record would yield a benefit to petitioner commensurate with the disadvantages to the public and public safety of: (1) sealing the record; and (2) burdening the court and public authorities to issue, enforce, and monitor an expungement order. {Minn. Stat. § 609A.03, subd. 5(a)}

Upon the Findings of the Court and the files and records herein, IT IS ORDERED:

- ☐ 1. Petitioner's request for sealing of records is denied.
- ☐ 2. Petitioner's request for sealing of records is granted. All official records held by the following agencies, other than the non-public record retained by the Bureau of Criminal Apprehension, including all records relating to arrest, indictment or complaint, trial, dismissal and discharge shall be sealed and their existence shall be disclosed only by court order, except as authorized by law:
- | | |
|--|--|
| <input type="checkbox"/> District Court | <input type="checkbox"/> County Attorney |
| <input type="checkbox"/> County Sheriff | <input type="checkbox"/> _____ City Police Dept. |
| <input type="checkbox"/> Bureau of Criminal Apprehension | <input type="checkbox"/> Probation/Court Services Department |
| <input type="checkbox"/> _____ | <input type="checkbox"/> _____ |
- ☐ 3. This order restores the petitioner to the status occupied before the arrest. The petitioner will not be guilty of perjury for failure to acknowledge the arrest or proceeding in response to any inquiry made for any purpose.
- ☐ 4. The court administrator shall send a copy of this expungement order to each agency and jurisdiction whose records are affected.
- ☐ 5. The petitioner shall continue to be prohibited from shipping, transporting, possessing, or receiving a firearm for the remainder of the petitioner's lifetime since the conviction was for a crime of violence and an order was not issued under Minn. Stat. § 609.165, subd. 1d.
- ☐ 6. Other: _____

NOTE: This order is stayed for 60 days, and during any appeal. The records will not be sealed until after this time.

Dated: _____

Judge of District Court